amended application, but immediately took this appeal. He does not here contend that he could, by means of an amended application, state a more favorable factual basis for relief on the ground he relied upon in the district court, than as stated in his brief on appeal.

Circumstances may be stated in which the failure to accord an individual defendant the benefit of state criminal procedures prescribed for general application, may amount to a deprivation of a right under the Constitution of the United States. Thus, in *Griffin v. Illinois,* 351 U.S. 12, 18, where the state had authorized appeals from criminal convictions, the failure to permit Griffin to appeal because, by reason of poverty, he was unable to provide a record on appeal, was held to be a deprivation of his rights under the Fourteenth Amendment. The Supreme Court indicated that the reason why Griffin was denied an appeal manifested an invidious discrimination.

The criminal procedure in question in our case—the requirement that the complaint be signed by the arresting officer—does not approach in significance the state procedure dealt with in *Griffin.* Moreover, nothing is alleged in Novarro's application or brief on appeal tending to show that the signing of the complaint by a person other than the arresting officer was intended to, or resulted in, an invidious discrimination as between Novarro and other state defendants or actually prejudiced Novarro in defending against the prosecution.

We therefore hold that the fact that the complaint was so signed presents no federal question. This being the only ground for relief relied upon in the district court, we

Affirm.

EXHIBIT B.

Office of the Clerk
U. S. Court of Appeals
P. O. Box 547
San Francisco, California 94101

Dec. 22, 1966.

John N. Frolich, Esq.
Attorney at Law
411 West 7th St.
Los Angeles, Calif.

Dear Sir:

The Petition for a Rehearing heretofore filed in case No. 20649—NOVARRO v. PITCHESS, Sheriff was this day denied.

Pursuant to Rule 26, and unless stayed by the order of the Court, a certified copy of the judgment of this Court under said Rule will be due to issue on the expiration of five (5) days from the date hereof.

Time for certiorari petition: Civil cases, 90 days; Criminal cases, 30 days.

Sincerely,
Frank H. Schmid,
Clerk.

EXHIBIT C.

Order Staying Issuance of Mandate.

United States Court of Appeals for the Ninth Circuit.

Ramon Novarro, Appellant, vs. Peter Pitchess, Sheriff of the County of Los Angeles, State of California, et al., Appellees. No. 20649.

Upon application of Irving W. Kregal, one of counsel for the Appellant, and good cause therefor appearing, IT IS ORDERED that the issuance, under Rule 26 of the mandate of this Court in the above cause be, and hereby is stayed pending the filing, consideration and disposition by the Supreme Court of the United States of a petition for writ of certiorari to be made by the Appellant herein, providing such petition is filed in the clerk's office of the Supreme Court of the United States on or before January 27, 1967. In the event the petition for writ of certiorari is granted, then this stay is to continue pending the final disposition of the case by the Supreme Court of the United States.

Frederick G. Hamley
United States Circuit Judge.

We will prepare a certiorari record when directed to do so.

ENCLOSED STAMPED, SELF-ADDRESSED ENVELOPES WITH ALL INQUIRIES.

Dated: San Francisco, Calif. December 27, 1966.

EXHIBIT D.

Order Staying Issuance of Mandate.

United States Court of Appeals for the Ninth Circuit.

Ramon Novarro, Appellant vs. Peter Pitchess, Sheriff of the County of Los Angeles, State of California, et al Appellees No. 20649.

Upon application of John N. Frolich, counsel for the Appellant, and good cause therefor appearing, IT IS ORDERED that the issuance, under Rule 26 of the mandate of this Court in the above cause be, and hereby is stayed pending the filing, consideration and disposition by the Supreme Court of the United States of a petition for writ of certiorari to be made by the Appellant herein, providing such petition is filed in the clerk's office of the Supreme Court of the United States on or before February 27, 1967. In the event the petition for writ of certiorari is granted, then this stay is to continue pending the final disposition of the case by the Supreme Court of the United States.

Frederick G. Hamley
United States Circuit Judge.

We will prepare a certiorari record when directed to do so.

ENCLOSED STAMPED, SELF-ADDRESSED ENVELOPES WITH ALL INQUIRIES.

Dated: San Francisco, Calif. January 13, 1967.

EXHIBIT E.

Order Staying Issuance of Mandate.

United States Court of Appeals for the Ninth Circuit.

Ramon Novarro, Appellant, vs. Peter Pitchess, Sheriff of the County of Los Angeles, State of California, et al., Appellees. No. 20649.

Upon application of John N. Frolich, counsel for the Appellant, and good cause therefor appearing, IT IS ORDERED that the issuance, under Rule 26 of the mandate of this Court in the above cause be, and hereby is stayed pending the filing, consideration and disposition by the Supreme Court of the United States of a petition for writ of certiorari to be made by the Appellant herein, providing such petition is filed in the clerk's office of the Supreme Court of the United States on or before March 29, 1967. In the event the petition for writ of certiorari is granted, then this stay is to continue pending the final disposition of the case by the Supreme Court of the United States.

Frederick G. Hamley
United States Circuit Judge.

Dated: San Francisco, Calif. February 23, 1967.